



STATE BOARD OF EQUALIZATION

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July 15, 1981

No. 81/82

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 12

Following are brief summaries of selected proposed property tax bills and amendments introduced by the Legislature which relate to assessment practices or Revenue and Taxation law.

AB 11

Author: Assemblyman Lockyer

Action: Amended in Senate

Date: July 6, 1981

Affected Reference: Adds Sections 17071.1 and 24271.1 to the Revenue and Taxation Code - Urgency Statute

This bill would appropriate \$125,000,000 from the Unsecured Property Tax Credit Fund to the State Board of Equalization for payments of refunds to taxpayers who paid property taxes on the unsecured roll at a rate in excess of \$4 per \$100 of assessed value, less the rate for voter approved debt, and for administrative costs related thereto.

This bill would also provide that gross income of the taxpayer would be increased by the amount of the refund allowed in any particular taxable or income year.

This bill would provide that no appropriation is made by this act for the purpose of making reimbursement pursuant to the constitutional mandate or Section 2231 or 2234, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

AB 20

Author: Assemblyman Lockyer

Action: Enrolled

Affected Reference: Amends Sections 95, 97.1, and 2211, adds Sections 37, 95.5, and 155.21, repeals Section 2217 of the Revenue and Taxation Code - Urgency Statute

This legislation cancels all interest and penalties on supplemental unsecured property tax levies if paid by December 31, 1981. This provision applies to those supplemental billings resulting from the California Supreme

AB 20 (Continued)

Court decision on the rate applicable to the 1978-79 unsecured assessment roll.

This bill would remove under certain conditions the requirement of reappraising the real property on the 1978-79 unsecured roll for the counties found to be wrong by using the provisions of Proposition 13 by the State Supreme Court.

AB 81

Author: Assemblyman Dennis Brown, et al.

Action: Amended in Senate

Date: June 29, 1981

Affected Reference: Amends Sections 214.4, 251, and 255; adds Sections 207, 214.11, 257, and 257.1 to the Revenue and Taxation Code

This legislation would establish the "religious property" exemption. Those properties granted the "religious exemption" would not be required to file exemption applications annually; rather they will be required to return to the assessor's office a card designating no change in the religious activity.

This bill would provide that property owned and operated by a non-profit organization, otherwise qualifying for the so-called welfare exemption, shall be deemed to be exclusively used for hospital purposes so long as the property is exclusively used to meet the needs of hospitals, as specified.

AB 375

Author: Assemblyman Wyman

Action: Enrolled

Affected Reference: Repeal and amend Section 73 of the Revenue and Taxation Code

Article XIII A, Section 2, subdivision (a), provides that the term "newly constructed" shall not include the construction or addition of any active solar energy system. This bill would modify current law implementing that exclusion and would specifically define "active solar energy system" for that purpose.

AB 517

Author: Assemblyman Kapiloff

Action: Amended in Assembly

Date: July 6, 1981

Affected Reference: Amends Section 227 of the Revenue and Taxation Code - Urgency Statute

AB 517 (Continued)

Under existing law in effect until January 1, 1983, a documented vessel is assessed at 4 percent of its full cash value if the vessel is engaged or employed exclusively in carrying or transporting 7 or more people for hire for commercial passenger fishing purposes.

This bill would delete the termination date and would require, to qualify for that assessment, that the vessel holds a current certificate of inspection issued by the United States Coast Guard.

AB 1400

Author: Assemblyman Cortese, et al.

Action: Amended in Assembly

Date: July 1, 1981

Affected Reference: Amends Sections 5831 and 10759.5; adds Article 5 to Chapter 3 of Part 5 of Division 2 of the Revenue and Taxation Code - Urgency Statute

This measure would provide a procedure for owners of mobilehomes which have become subject to the property tax because their vehicle license fees have been delinquent for 120 days or more to petition to have their mobilehomes reinstated to the Vehicle License Fee on the grounds the failure to have timely paid the fee was due to good cause.

AB 1506

Author: Assemblyman Filante, et al.

Action: Amended in Assembly

Date: July 6, 1981

Affected Reference: Adds Section 229 to the Revenue and Taxation Code

This bill would assessee floating homes in the same manner as real property, but would substitute the 1979 lien date for the 1975 lien date in determining their valuation.

AB 1964

Author: Assemblyman Elder

Action: Amended in Senate

Date: June 29, 1981

Affected Reference: Amends Section 5146; adds Section 4808 to the Revenue and Taxation Code

This bill would permit a taxpayer to bring a declaratory relief action on the illegality or unconstitutionality of an assessment or property tax if that action is brought no later than 30 days after the delinquency date. Property tax actions would also have precedence over other civil actions, with specified exceptions.

AB 2138

Author: Assemblyman LaFollette

Action: Enrolled

Affected Reference: Amends Section 602 of the Revenue and Taxation Code

Existing law requires the local assessment roll to show, among other things, the full and complete name and address, if known, of the assessee.

This bill would delete the requirement to show the full and complete name and address of the assessee, and instead only require the name and address, if known, of the assessee to be shown on the local assessment roll.

ACA 53

Author: Assemblyman Frizzelle

Action: Amended in Assembly

Date: June 30, 1981

Affected Reference: Adds subdivision (d) to Section 2 of Article XIII A of the Constitution

This measure would provide that the Legislature may provide that the term "newly constructed" does not include the cost of construction or addition of any fire sprinkler system or fire alarm system which is not required by state law or local ordinance. It would also provide that for purposes of that constitutional provision, the Legislature may provide that the appraised value of real property when purchased or a change in ownership has occurred after the 1975 assessment shall not include the cost of any fire sprinkler system or fire alarm system which is not required by state law or local ordinance.

AB 241

Author: Senator Beverly

Action: Amended in Assembly

Date: June 29, 1981

Affected Reference: Various sections of various codes

This is a "housekeeping" bill sponsored by the State Board of Equalization to correct a number of technical and minor substantive inconsistencies, errors and problems in the law relative to property taxation including Williamson Act properties; filings by Redevelopment Agencies; property tax relief claims for homeowners; reporting of tangible personal property for the 1967-68 fiscal year; interest rate for business inventory exemption assessments; correction of assessor's errors; exemption of public schools property.

This bill would also permit the assessor to assess property to a new owner when the property changes hands after the lien date.

July 15, 1981

SB 481

Author: Senator Mello

Action: Amended in Senate

Date: July 2, 1981

Affected Reference: Amends Section 51246 of the Government Code

This bill would bring timberland currently subject to an open-space contract immediately within the timberland preserve zone valuation procedures rather than have that timberland appraised gradually up to full cash value for five years as required under present law.

SB 836

Author: Senator Boatwright

Action: Amended in Assembly

Date: July 6, 1981

Affected Reference: Amends Section 51282 of the Government Code

This bill would liberalize the circumstances under which a Williamson Act open-space contract may be cancelled.

SB 1211

Author: Senator Beverly

Action: Amended in Assembly

Date: June 29, 1981

Affected Reference: Amends Section 62 of the Revenue and Taxation Code -
Urgency Statute

This bill would provide that any transfer of property or an interest therein between a corporation sole, a religious corporation, a public benefit corporation, and a holding corporation holding title for the benefit of any of the aforementioned corporations, or any combination thereof, would not be considered a change in ownership for reassessment purposes, provided that both the transferee and transferor are regulated by laws, rules, regulations, or canons of the same religious denomination.

SCA 19

Author: Senator Marz Garcia, et al.


Action: Amended in Senate

Date: July 2, 1981

Affected Reference: Adds Section 5.6 to Article XIII of the Constitution

This measure would exempt all land within the jurisdiction of any local or regional governmental entity which has imposed a moratorium on the development of land from all taxes, fees, and assessments until the moratorium is removed.

Sincerely,


Verne Walton, Chief

Assessment Standards Division

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Enclosures